

IN THE HIGH COURT OF CHHATTISGARH AT BILASPURW. P. (S) No. 889 /2007(S.B.)**PETITIONER :**

✓ Pustam Pradhan

S/o Shri Dewanand Pradhan

Aged about 43 years, Asst.

Teacher, R/o Village -Ranidih

Post- Nadigaon Via- Sariya,

Tah.- Sarangarh, Dist :

Raigarh-(C.G.)

P.R. No. 1102/07
 Presented by Shri. Vijay K. Pandey
 dated 07-02-2007

VERSUS**RESPONDENTS**

- ✓:1. State of Chhattisgarh
Through : Secretary
School Education Department,
D.K.S. Bhawan, Raipur (C.G.)
2. District Education Officer
Raigarh,
Dist : Raigarh-(C.G.)
3. Block Education Officer
Block - Raigarh District -
Raigarh (C.G.)

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WRIT PETITION UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P.(S) No. 889 of 2007

Petitioner : Pustam Pradhan
Versus

Respondents : State of Chhattisgarh and others

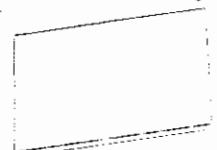
SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Present: Mr. Vineet Kumar Pandey, Advocate for the petitioner.
Mr. Sushil Dubey, Govt. Advocate for the State/
respondents.

ORDER

(Passed on this 14th Day of February, 2007)

1. The petitioner was appointed on 25.3.1989 (Annexure P/1) as Assistant Teacher on fixed pay scale of Rs. 300/-. After completion of one year probation, he was granted regular pay scale.
 2. Learned counsel appearing for the petitioner submits that the issue involved in the case is as to whether, the petitioner is entitled to regular pay scale w.e.f. the date of initial appointment or after completion of probation period.
 3. The issue involved, herein was considered by the Madhya Pradesh State Administrative Tribunal, Jabalpur in O.A. No. 2745/89 (Madhukant Yadu and 56 others Vs. State of M.P. & others), wherein it was held that the similarly situated teachers are entitled to regular pay scale w.e.f. the date of initial appointment.
- The matter was taken-up to the Hon'ble Supreme Court in Special



Leave Petition (Civil) No. 6892/93. The said petition was dismissed by the Hon'ble Supreme Court upholding the decision of the Tribunal to the effect that the Teachers/Assistant Teachers are entitled to regular pay scale from date of initial appointment.

4. Learned counsel appearing for the petitioners further submits that this Court, while considering the same issue in *Sushil Tiwari & others Vs. State Govt. of Chhattisgarh & others (W.P. (S) No. 5976 of 2006)* by order dated 7-11-2006, has granted regular pay scale w.e.f. the date of initial appointment.
5. Learned counsel appearing for the parties jointly submit that this case is squarely covered by the decision of this Court in the case of *Sushil Tiwari & others Vs. State Govt. of Chhattisgarh & others (Supra)*.
6. In view of that, this petition is allowed in the same terms. No order as to costs.

Subhash

Sd/-
Satish K. Agnihotri
Judge